

**BEFORE THE ENVIRONMENTAL PROTECTION AUTHORITY  
AT WELLINGTON**

**IN THE MATTER** of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (**EEZ Act**)

**AND**

**IN THE MATTER** of an application for marine consent under section 38 of the EEZ Act by Trans-Tasman Resources Limited to undertake iron ore and processing operations offshore in the South Taranaki Bight

**BETWEEN** **Trans-Tasman Resources Limited**  
Applicant

**AND** **Environmental Protection Authority**  
EPA

**AND** **Fisheries Inshore New Zealand Limited, New Zealand Federation of Commercial Fishermen Inc, Talley's Group Limited, Southern Inshore Fisheries Management Company Limited and Cloudy Bay Clams Limited**  
Fisheries Submitters

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**MEMORANDUM ON BEHALF OF FISHERIES SUBMITTERS**

**Dated: 13<sup>th</sup> February 2017**

Regarding DMC Minute 24 and  
Australian based experts hearing attendance

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Counsel Acting  
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**MAY IT PLEASE THE DECISION-MAKING COMMITTEE:**

1. Counsel acts for Fisheries Inshore New Zealand Limited (**FINZ**), The New Zealand Federation of Commercial Fishermen Inc, Talley's Group Limited, Southern Inshore Fisheries Management Company Limited and Cloudy Bay Clams Limited (**Fisheries Submitters**).
2. This memorandum addresses:
  - (a) Captain Andrew Smith's evidence and paragraph [5] of Minute 24 of the Decision-Making Committee (**DMC**) dated 10 February 2017, and
  - (b) The attendance of the Fisheries Submitters' Australian based experts, Mr Joris Jorrison and Dr Greg Barbara, at the hearing.

**MINUTE 24 AND CAPTAIN ANDREW SMITH**

3. Counsel refers to the DMC's invitation to witnesses at paragraph [5] of Minute 24 to reconsider whether expert conferencing is the most appropriate forum for their evidence.
4. Captain Smith has formed the view that there are no peers scheduled to participate in expert conferencing on "*effects on fishing*" who share his practical hands on experience within the South Taranaki Bight.
5. Captain Smith has decided, following discussion with counsel, that his evidence would be more appropriately provided at the hearing than in the context of expert conferencing. Accordingly, Captain Smith will not attend expert conferencing on "*effects on fishing*".

**AUSTRALIAN BASED EXPERTS HEARING ATTENDANCE**

6. It is proposed, regarding the indicative hearing schedule (version date 8 February 2017), that Mr Joris Jorrison and Dr Greg Barbara (both from Australia) will listen to the evidence on "*Sediment Plume Modelling*" via Skype on Friday, 17 February 2017.

7. The Fisheries Submitters plan for Mr Jorrision to attend the hearing on Monday 20 February 2017, and for Dr Barbara to attend on Monday 20, Tuesday 21 and Wednesday 22 February 2017.

**Dated this 13<sup>th</sup> day of February 2017**



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**Fisheries Inshore New Zealand  
Limited, New Zealand Federation  
of Commercial Fishermen Inc,  
Talley's Group Limited, Southern  
Inshore Fisheries Management  
Company Limited and Cloudy Bay  
Clams Limited**